

REMARKS

By this Response, no claims have been amended or canceled. Claims 41-53 have been added. Claims 21-23, 26-36, and 38-52 are pending.

At the outset, the Examiner's indication of allowable subject matter in claims 26, 27, 33 and 38 is gratefully acknowledged. Accordingly, claims 41-53 are presented in which the subject matter of claim 41 includes that of current claims 21, 28 and 38, and is therefore allowable according to the Examiner. Added claims 42-53 correspond to above current claims 22, 23, 26, 27, 29-36, 39 and 40, respectively and should be considered allowable as depending from allowable independent claim 41.

In addition, it is believed that the claims as presented herein distinguish over the applied reference for reasons more fully explained below. Accordingly, incorporation of the indicated allowable subject matter into independent claims has been presented separately from the claims as addressed in the following rejections.

Rejection of Claims 21-23, 28-30, 34-36 and 40 under 35 U.S.C. § 102(b)

In the Office Action, the Examiner rejected claims 21-23, 28-30, 34-36 and 40 under 35 U.S.C. 102(b) as being anticipated by *Crean* (U.S. Patent No. 6,565,144). This rejection is respectfully traversed.

The subject matter of claim 21 is directed to a door mounted on a structure for displacement between an open position and a closed position with respect to a door aperture in the structure. The door is connected to the structure by a first guide means, which constrains the leading edge of the door, with respect to movement towards the open position, to execute an arcuate movement about an axis which is fixed to the

structure, and by second guide means, which constrains a trailing edge of the door to execute a linear movement substantially parallel to the plane of the door aperture such that the trailing edge of the door remains substantially in the plane of the door aperture. As explained in the original specification at page 5, lines 29-30 and page 6, lines 1-3, by the trailing edge 10 of the door remaining substantially in the plane of the door aperture 4, the oblique position of the doors when open provides a funneling effect to direct passengers into the vehicle.

It is the Examiner's position with respect to claim 21 that *Crean* discloses a door (310, Figure 2D) mounted on a structure for displacement between an open position and a closed position with respect to a door aperture in the structure, the door being connected to the structure by first guide means (the other portion of the door at 324), which constrains a leading edge of the door, with respect to movement towards the open position, to execute an arcuate movement about an axis which is fixed to the structure, and by second guide means (the part which fits in the track 326), which constrains a trailing edge of the door to execute a linear movement substantially parallel to the plane of the door aperture such that the trailing edge of the door remains substantially in the plane of the door aperture.

It is respectfully submitted that *Crean* fails to disclose at least the claim limitation of the first guide means, which constrains a leading edge of the door, with respect to movement towards the open position, to execute an arcuate movement about an axis which is fixed to the structure. Instead, any movement of the leading edge of the door is necessarily linear as constrained by the linear frame of the door within which the leading edge of the door slides. See 326, 328 and Figure 2D of *Crean*.

Even further, it is not clear how the Examiner considers the "second guide means" of *Crean* to constrain a trailing edge of the door to execute a linear movement substantially parallel to the plane of the door aperture such that the trailing edge of the door remains substantially in the plane of the door aperture. Instead, it appears that the trailing edge of the door structure (324 per the Examiner's characterization) remains stationary in the track of the door frame.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 21-23, 28-30, 34-36 and 40 under 35 U.S.C. § 102(b). Applicants respectfully submit that claims 22, 23, 28-30, 34-36 and 40 are in condition for allowance, at least by virtue of their dependency from allowable claim 21. In addition, however, at least some of those claims contain unique combinations and/or recitations that are neither taught nor suggested by the references cited in the Office Action and therefore at least some of those dependent claims also are separately patentable.

Rejection of Claims 31, 32, and 39 Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected claims 31, 32 and 39 under 35 U.S.C. § 103(a) as being unpatentable over *Crean* (U.S. Patent No. 6,565,144) in view of *Jerila* (U.S. Patent No. 4,631,894). This rejection is respectfully traversed.

It is the Examiner's position that *Crean* discloses all of the limitations of the claims, as applied above, except for the guide track being one of two parallel guide tracks which are spaced apart in the direction of the axis of arcuate movement, the guide tracks lying close to a common plane which is inclined to the axis of arcuate

movement, and the guide track being disposed below a floor panel which is secured to the vehicle structure. Accordingly *Jerila* is applied as teaching a guide track being one of two parallel guide tracks (22, 26) which are spaced apart in the direction of an axis of arcuate movement, the guide tracks lying close to a common plane which is inclined to the axis of arcuate movement (a common plane inclined to the axis of arcuate movement and close the guide tracks can be imagined), and the guide track being disposed below a floor panel (27).

To the contrary, it is respectfully submitted that *Jerila* fails to overcome the missing teachings identified above in connection with *Crean*. In addition, it is respectfully submitted that the subject matter of remaining dependent claim 31, 32 and 39 depend from arguably allowable claim 21, and should therefore, also be considered allowable.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 31, 32 and 39 under 35 U.S.C. § 103(a).

The Office Action contains various assertions, conclusions, and/or characterizations regarding Applicants' claims and the teachings of the cited references. Unless specifically noted otherwise herein, Applicants decline to subscribe to any such assertions, conclusions, and/or characterizations.

CONCLUSION

In view of the foregoing remarks, Applicants submit that this claimed invention is neither anticipated nor rendered obvious in view of the prior art references applied against this application. Applicants therefore request the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 50-2961.

Respectfully submitted,

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